

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ryan Tavon Berrie

Docket No. 7:20-MJ-1344-RN

Petition for Action on Probation

COMES NOW Melissa K. Lunsmann, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ryan Tavon Berrie, who, upon an earlier plea of guilty to Level V DWI, in violation of 18 U.S.C. § 13-7210, assimilating NCGS 20-138.1, was sentenced by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, on April 8, 2021, to 6 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 13, 2021, the defendant submitted to urinalysis screening that was confirmed positive for marijuana use by Abbott Laboratories on June 16, 2021. The undersigned probation officer confronted the defendant regarding the violation and despite initially denying use, he ultimately admitted to using marijuana after sentencing in this case. He submitted another urinalysis test on June 24, 2021 and admitted to using marijuana again approximately two weeks earlier.

The defendant acknowledges that his decision to use marijuana is inexcusable and unacceptable. He has been referred to substance abuse treatment through PORT Human Services and is also committed to completing DWI treatment through Holland Assessment and Counseling in New Bern, North Carolina. It is respectfully recommended that his probation term be extended for 2 months, in order to provide him with ample opportunity to benefit from these services. He understands that additional violation conduct will result in further sanctions.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The term of probation be extended for 2 months.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ David W. Leake

David W. Leake

Supervising U.S. Probation Officer

/s/ Melissa K. Lunsmann

Melissa K. Lunsmann

U.S. Probation Officer

200 Williamsburg Pkwy, Unit 2

Jacksonville, NC 28546-6762

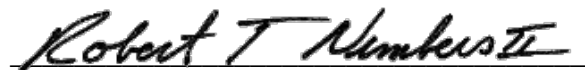
Phone: (910) 346-5103

Executed On: June 25, 2021

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ORDER OF THE COURT

Considered and ordered on June 25, 2021 . It is further ordered that this document shall be filed and made a part of the records in the above case.

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive style with a horizontal line underneath it.

Robert T. Numbers, II
United States Magistrate Judge